ARTICLE 19 AMENDMENT

CLAIMS

1. (Amended) A wireless communication apparatus

5 comprising:

a subcarrier allocation section that allocates first

data satisfying a predetermined condition to a subcarrier

or a subcarrier block selected based on reception quality

information indicating reception quality of each

10 communicating party and allocates second data different

to the first data to a preassigned subcarrier or a

preassigned subcarrier block; and

a transmission section that transmits the first data

and the second data allocated to the subcarrier or the

15 subcarrier block by the subcarrier allocation section.

2. (Amended) The wireless communication apparatus

according to claim 1, wherein the subcarrier allocation

section allocates the first data constituted by dedicated

20 data transmitted to each communicating party to the

selected subcarrier or subcarrier block, and allocates

the second data constituted by common data transmitted

to a plurality of communicating parties to the preassigned

subcarrier or subcarrier block.

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3. (Amended) The wireless communication apparatus

according to claim 1, further comprising a data amount

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determination section that determines an amount of data of transmission data,

wherein the subcarrier allocation section allocates the first data of the data amount greater than or equal to a first threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the data amount less than the first threshold value to the preassigned subcarrier or subcarrier block.

4. (Amended) The wireless communication apparatus according to claim 1, further comprising a movement speed estimation section that estimates a movement speed of a communicating party from a received signal,

wherein the subcarrier allocation section allocates the first data transmitted to a communicating party of the movement speed estimated by the movement speed estimation section of less than a second threshold value to the selected subcarrier or subcarrier block, and allocates the second data transmitted to a communicating party of the movement speed estimated by the movement speed estimation section of greater than or equal to the second threshold value to the preassigned subcarrier or subcarrier block.

5. (Amended) The wireless communication apparatus according to claim 1, further comprising a delay spread measuring section that measures a delay spread of a

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propagation path from a received signal,

wherein the subcarrier allocation section allocates the first data of the delay spread measured by the delay spread measuring section of less than a third threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the delay spread measured by the delay spread measuring section of greater than or equal to the third threshold value to the preassigned subcarrier or subcarrier block.

6. (Amended) The wireless communication apparatus according to claim 1, further comprising a delay spread measuring section that measures a delay spread of a propagation path from a received signal,

wherein the subcarrier allocation section allocates the first data of the delay spread measured by the delay spread measurement section of greater than or equal to a lower threshold value and less than an upper threshold value set in a direction where the delay spread becomes larger than the lower threshold value to the selected subcarrier or subcarrier block, and allocates the second data of the delay spread measured by the delay spread measuring section of less than the lower threshold value and greater than or equal to the upper threshold value to the preassigned subcarrier or subcarrier block.

7. (Amended) The wireless communication apparatus

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according to claim 1, wherein the subcarrier allocation section allocates the second data to a plurality of subcarriers or a plurality of subcarrier blocks at a predetermined frequency interval within a communication

5   frequency band width.

8.   (Amended) The wireless communication apparatus according to claim 1, wherein the subcarrier allocation section holds a reference table storing modulation scheme

10   information associating reception quality information and modulation scheme, selects the modulation scheme for each subcarrier or subcarrier block using reception quality information for the communicating party, and allocates the first data to the subcarriers or subcarrier

15   block using scheduling in such a manner that the required transmission rate for each communicating party is satisfied using required transmission rate information indicating required transmission rate of each communicating party.

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9.   A base station apparatus comprising the wireless communication apparatus of claim 1.

10. (Amended) A subcarrier allocation method comprising

25   the steps of:

    (a) allocating first data satisfying a predetermined condition to a subcarrier or a subcarrier block selected

based on reception quality information indicating reception quality of each communicating party and required transmission rate information indicating required transmission rate of each communicating party;

5   and

(b) allocating second data different to the first data to a preassigned subcarrier or a preassigned subcarrier block.

10   11. (Amended) The subcarrier allocation method according to claim 10, wherein allocating the first data constituted by dedicated data transmitted to each communicating party to the selected subcarrier or subcarrier block in the step (a), and allocating the second data constituted by

15   common data transmitted to a plurality of communicating parties to the preassigned subcarrier or subcarrier block in the step (b).

12. (Amended) The subcarrier allocation method according

20   to claim 10, further comprising a step (c) of determining an amount of data of transmission data,

wherein allocating the first data of the data amount greater than or equal to a first threshold value to the selected subcarrier or subcarrier block in the step (a),

25   and allocating the second data of the data amount less than the first threshold value to the preassigned subcarrier or subcarrier block in the step (b).

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13. (Amended) The subcarrier allocation method according to claim 10, further comprising a step (d) of estimating a movement speed of a communicating party from a received

5   signal; wherein

allocating the first data transmitted to a communicating party of the estimated movement speed of less than a second threshold value to the selected subcarrier or subcarrier block in the step (a), and

10   allocating the second data transmitted to a communicating party of the estimated movement speed of greater than or equal to the second threshold value to the preassigned subcarrier or subcarrier block in the step (b).

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14. (Amended) The subcarrier allocation method according to claim 10, wherein, in the step (b), allocating the second data is allocated to a plurality of subcarriers or a plurality of subcarrier blocks at a predetermined

20   frequency interval within a communication frequency band width.

15. (Amended) The subcarrier allocation method according to claim 10, wherein, in the step (a), reception

25   information for a communicating party is employed, selecting a modulation scheme for each subcarrier or subcarrier block by referring to modulation scheme

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information associating the reception quality information and the modulation scheme, and allocating the first data to the subcarrier or subcarrier block by scheduling in such a manner that a required transmission

5   rate for each communicating party is satisfied using the required transmission rate information.